

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Energy & Environment.

HB24-1346 be amended as follows:

1 Amend proposed committee amendment (HB1346_L.001), page 1, after
2 line 21 insert:

3 "Page 5 of the printed bill, after line 24 insert:

4 "(7) (a) "CUMULATIVE IMPACTS" MEANS THE EFFECTS ON PUBLIC
5 HEALTH AND THE ENVIRONMENT, INCLUDING THE IMPACTS TO AIR
6 QUALITY, WATER QUALITY, CLIMATE, NOISE, ODOR, WILDLIFE, AND
7 BIOLOGICAL RESOURCES, CAUSED BY THE INCREMENTAL IMPACTS THAT A
8 PROPOSED NEW OR AMENDED OPERATION REGULATED BY THE COMMISSION
9 PURSUANT TO THIS ARTICLE 60 WOULD HAVE WHEN ADDED TO THE
10 IMPACTS FROM OTHER PAST, PRESENT, AND REASONABLY FORESEEABLE
11 FUTURE DEVELOPMENT OF ANY TYPE ON THE IMPACT AREA OR ON A
12 DISPROPORTIONATELY IMPACTED COMMUNITY.

13 (b) "CUMULATIVE IMPACTS" MAY INCLUDE BOTH ADVERSE AND
14 BENEFICIAL ENVIRONMENTAL IMPACTS.

15 (c) THIS SUBSECTION (7) IS EFFECTIVE ON THE EFFECTIVE DATE OF
16 THE RULES ADOPTED PURSUANT TO SECTION 34-60-106 (11)(d)(I).".

17 Renumber succeeding subsections accordingly.".

18 Page 1 of the amendment, strike line 29 and substitute "Page 7, line 2,
19 before ""GEOLOGIC" insert "(a)".

20 Page 2 of the amendment, lines 5 and 6, strike ""(16)(a) OR (16)(b)". and
21 substitute ""(17)(a) OR (17)(b)".

22 Page 2 of the amendment, strike line 9 and substitute:

23 ""(22) "IMPACT AREA" MEANS A DEFINED GEOGRAPHIC AREA OR
24 AREAS IN WHICH OPERATIONS REGULATED BY THE COMMISSION HAVE THE
25 POTENTIAL TO CONTRIBUTE TO CUMULATIVE IMPACTS. THE COMMISSION
26 SHALL DETERMINE THE IMPACT AREA FOR A PARTICULAR PROPOSED
27 OPERATION BASED ON THE NATURE, INTENSITY, AND SCOPE OF THE
28 OPERATION IN ITS PROPOSED LOCATION AND THE GEOGRAPHIC EXTENT OF
29 POTENTIAL IMPACTS.

30 (23) "IMPACTS TO CLIMATE" MEANS THE QUANTIFICATION OF
31 EMISSIONS OF GREENHOUSE GASES, AS DEFINED IN SECTION 25-7-140 (6),
32 THAT OCCUR FROM SOURCES THAT ARE CONTROLLED OR OWNED BY THE
33 ENERGY AND CARBON MANAGEMENT OPERATOR AND FROM REASONABLY
34 FORESEEABLE TRUCK TRAFFIC, AS WELL AS REDUCTIONS IN GREENHOUSE

1 GAS EMISSIONS, ASSOCIATED WITH THE PROPOSED OPERATION.
2 (24) "INJECTION CARBON DIOXIDE" MEANS CARBON DIOXIDE,".

3 Page 2 of the amendment, strike lines 16 through 23 and substitute:
4 "Page 10 of the bill, line 2, strike "(28)(b)" and substitute "(30)(b)".
5 Page 10 of the bill, line 7, strike "(28)." and substitute "(30).".

6 Page 11 of the bill, after line 6 insert:
7 "(39) "REASONABLY FORESEEABLE FUTURE DEVELOPMENT"
8 MEANS DEVELOPMENT THAT HAS NOT YET BEEN UNDERTAKEN FOR WHICH
9 AN APPLICABLE LOCAL, STATE, OR FEDERAL AGENCY HAS RECEIVED AN
10 APPLICATION OR ISSUED A PERMIT. FUTURE DEVELOPMENT IS REASONABLY
11 FORESEEABLE ONLY IF INFORMATION RELATED TO THE PERMIT IS PUBLICLY
12 AVAILABLE.".

13 Renumber succeeding subsections accordingly.

14 Page 12 of the bill, line 1, strike "(40)(b)" and substitute "(43)(b)".

15 Page 12 of the bill, line 21, strike "(40)" and substitute "(43)" and strike
16 "(41)" and substitute "(44)".

17 Page 12 of the bill, line 22, strike "(42)(b)" and substitute "(45)(b)".

18 Page 14 of the bill, line 2, strike "and (22); **repeal** (9)(e)(III);" and
19 substitute "and (11)(d)(I); **repeal** (9)(c)(III)(C), (9)(e)(III), (11)(d)(III),
20 and (11)(d)(IV);".

21 Page 2 of the amendment, after line 24 insert:
22 "Page 14 of the bill, after line 26 insert:
23 "(C) ~~As used in this subsection (9)(c)(III), "cumulative impacts"~~
24 ~~means the effect on public health and the environment, including the~~
25 ~~effect on air quality, water quality, the climate, noise, odor, wildlife, and~~
26 ~~biological resources, caused by the incremental impact that a proposed~~
27 ~~new or modified class VI injection well would have when added to the~~
28 ~~impacts from other past, present, and reasonably foreseeable future~~
29 ~~development of any type on the affected area, including an airshed or~~
30 ~~watershed, or on a disproportionately impacted community."~~

1 Page 3 of the amendment, strike line 1 and substitute "FACILITY;".

2 Page 3 of the amendment, after line 1 insert:

3 "Page 16 of the bill, after line 24 insert:

4 "(11) (d) (I) By ~~April 28, 2024~~ SEPTEMBER 30, 2024, the
5 commission shall promulgate rules that evaluate and address the
6 cumulative impacts of oil and gas operations. ~~The rules shall include a~~
7 ~~definition of cumulative impacts~~ THE RULES SHALL REQUIRE EVALUATION
8 OF ALL IMPACTS SET FORTH IN THE DEFINITION OF CUMULATIVE IMPACTS
9 DESCRIBED IN SECTION 34-60-103. THE RULES SHALL REQUIRE
10 ADDRESSING THOSE IMPACTS RESULTING FROM OPERATIONS REGULATED
11 BY THE COMMISSION. WELLS DRILLED FOR THE EXCLUSIVE PURPOSE OF
12 OBTAINING SUBSURFACE DATA OR INFORMATION TO SUPPORT OPERATIONS
13 REGULATED BY THE COMMISSION DO NOT REQUIRE A CUMULATIVE
14 IMPACTS ANALYSIS.

15 (III) ~~In promulgating the definition of cumulative impacts by rule~~
16 ~~pursuant to subsection (11)(d)(I) of this section, the commission shall~~
17 ~~review, consider, and include addressable impacts to climate, public~~
18 ~~health, the environment, air quality, water quality, noise, odor, wildlife,~~
19 ~~and biological resources, and to disproportionately impacted~~
20 ~~communities, as defined in section 24-4-109 (2)(b)(II).~~

21 (IV) ~~As used in this subsection (11)(d), "impacts to climate"~~
22 ~~means quantification of emissions of greenhouse gases, as defined in~~
23 ~~section 25-7-140 (6), that occur from sources that are controlled or owned~~
24 ~~by the operator and reasonably foreseeable truck traffic at an oil and gas~~
25 ~~location:."~~

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